IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 451 of 2006
in
Review Petition No.7 of 2006
in
Summons for Judgment No.86 of 2005
in
Summary Suit No.3705 of 2004

M/s B.V.Jewels and Ors ..Appellants
vs
M/s A Himanshu and Co. ..Respondents

Mr.D.D.Madon i/b S.Pathak and Co for the appellants

Ms. Rajani Iyer i/b Kanga and co. for the respondents

Coram: Kshitj R.Vyas, C.J., &
Abhay S.Oka., J.

Date: July 3, 2006

P.C.

Heard the learned counsel for the parties. During the course of hearing consensus have been arrived between the parties in the following terms:

"Both the parties agree that the reasons recorded in the order dated 4.5.2006 in Review Petition No.7 of 2006 or in the order reviewed dated 24.l0.2005, shall not be considered as binding by the trial Judge at the re-hearing and disposal of the Summons for Judgment No.86 of 2005 in Summary Suit No.3705 of 2004.

Both the parties, however, are at liberty to rely on documents produced by them in the Review Petition at the hearing of the said Summons for Judgment."

In view of the above terms, appeal stands disposed off.

CHIEF JUSTICE

ABHAY S.OKA , J.